

### REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 6-7, 9-10, 14-15, 17-18, 20 and 22 are pending, Claims 9, 10, 14, 15, 17, 18, 20 and 22 having been amended, Claims 2-5, 8, 11-13, 16, 19 and 21 having been canceled without prejudice or disclaimer by way of the present amendment. No new matter is added.

In the outstanding Office Action, Claims 20-22 was rejected under 35 U.S.C. §112, second paragraph; Claims 2-5, 8-13, 16-20 and 22 were rejected as being unpatentable over Wiser et al. (U.S. Patent No. 6,385,596, hereinafter Wiser) in view of Sahai et al. (U.S. Patent No. 6,594,699, hereinafter Sahai); Claims 6, 7, 14, 15 and 21 were rejected as being unpatentable over Wiser in view of Sahai and in further view of Putz et al. (U.S. Patent No. 5,210,824, hereinafter Putz).

In reply, Claims 20 and 22 have been amended for clarity, consistent with 35 U.S.C. § 112, 2<sup>nd</sup> paragraph. Furthermore, each of the independent claims has been amended to clarify patentably distinction features of the present invention and various dependent claims canceled or amended to be consistent with the amended independent claims.

By way of example, Claim 9 has been amended to define an information processing method that includes a step of controlling with a processor a record in which first data identifies a predetermined content. In a nonlimiting example, the first data may be for example a title of a song. In amended Claim 9, the predetermined content is stored in a first format and in a second format. The method includes a step of specifying the predetermined content from a single listing of the first data in a content list. In a nonlimiting example, “song-A” is stored in two different formats (MP3 and open MG), and may be displayed for example as “track 1” (Figure 17).

In amended Claim 9, the acquiring step acquires from another information processing apparatus a file format that is operable with the another information processing apparatus. In a nonlimiting example, suppose that the another information processing apparatus can play MP3 files, but not Open MG files. The method of Claim 9 then transfers the predetermined content to the another information processing apparatus in one of the first format and the second format (in the nonlimiting example, the MP3 file) depending on which of the first format and the second format is consistent with the file format acquired in the acquiring step.

By operating in this way the method offers an end user the convenience of not needing to be worried about the different formats in which a music title (for example) may be stored, because the method will acquire from the another information processing apparatus, the file formats that are usable with the another information processing apparatus. In the example discussed above, the particular music track saved in an MP3 file would be transferred to the another information processing apparatus without the user needing to worry about the particular format of the predetermined content. This provides a convenient and error free process for a user to transfer files to a device without having to search her computer for compatible file formats.

The outstanding Office Action recognizes that Wiser does not disclose having the predetermined content stored in different file formats, for example. Instead, the Office Action relies on Sahai for its disclosure of a system in which content is selected from either a first or second file for transferring to another device. The Office Action relies on the description in column 6 generally Sahai. In this area Sahai describes a server that performs a media server process that may request capabilities/performance information to pick an appropriate media asset to stream to a client 12 (column 6, lines 12-16). However, whether a particular content such as an MPEG1 or an MPEG2 file is sent to the client's side without

any description of redundant content being specified from a single display of the first data in a content list.

Moreover, Claim 9 requires that the predetermined content be specified from a single listing of the first data in a content list and that first data identify the predetermined content stored in a first format and a second format. In contrast, Sahai merely saves a content in different formats, and sends one of the formats to another device upon request. However, Sahai neither teaches nor suggests the single listing of the first data in the content list, as claimed. Thus, Sahai would not offer the advantage of offering a convenient use by a user, whose is not concerned with managing multiple file formats of a common content. This could be quite cumbersome in large libraries, such as music libraries, where a particular content may be saved in a variety of different formats, and a user would be required to search and identify the different types of formats that might be compatible with another device. The present claim addresses and resolves this issue, which is neither taught nor suggested by the asserted prior art.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that Claim 9 patentably defines over the asserted prior art. Although of differing statutory class and/or scope it is respectfully submitted that Claims 6-7, 10, 14-15, 17-18, 20 and 22 also patentably define over the asserted prior art for similar reasons discussed above with regard to amended Claim 9.

The tertiary reference of Putz is neither asserted nor cures the deficiency discussed above with regard to the two primary references in light of amended Claim 9. As a consequence it is believed that Claims 6, 7, 14, and 15 patentably define over the asserted prior art for substantially the same reasons discussed above with regard to the independent claims.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the presently claimed invention is definite and patentably distinguishing over the asserted prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

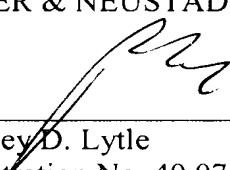
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08 09)



---

Bradley D. Lytle  
Registration No. 40,073